

April 18, 2006 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0213

Richmond 20 Mhz LLC
d.b.a. NTELOS

Bermuda Magisterial District
North line of Treely Road

REQUEST: Conditional Use Planned Development to permit a communications tower in an Agricultural (A) District.

PROPOSED LAND USE:

A communications tower with a maximum height of 199 feet is planned.

RECOMMENDATION

Recommend denial for the following reasons:

- A. The proposed tower location which is directly adjacent to an existing residential community and centered within an area designated for future residential development fails to comply with the Public Facilities Plan which suggests such facilities should be located to minimize the impacts on planned and existing residential development.
- B. The proposed tower location fails to comply with the locational criteria of the Tower Siting Policy. The Policy suggests that if a tower is to be located in the vicinity of residential areas, as is proposed in this case, it should either be designed, spaced, located and/or masked to minimize the visual impact of the tower. A more remote location would be necessary in this case to comply with the Policy.
- C. The proposed tower location fails to comply with the locational criteria of the Tower Siting Policy because the proposed tower will be in a highly visible area just north of

an east/west major arterial recommended by the Thoroughfare Plan to align with existing Treely Road.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS.)

GENERAL INFORMATION

Location:

North line of Treely Road, east of Branders Bridge Road. Tax ID 788-640-Part of 0107 (Sheet 34).

Existing Zoning:

Agricultural (A)

Size:

13.9 acres

Existing Land Use:

Single family residential

Adjacent Zoning and Land Use:

North - R-15; Single family residential or vacant
South - A and R-9; Single family residential or vacant
East - R-12; Single family residential or vacant
West - A; Vacant

UTILITIES

The proposed use will not necessitate a manned facility; therefore, the use of the public water and wastewater systems is not required.

ENVIRONMENTAL

Drainage and Erosion:

If the tower installation and construction of associated improvements disturbs more than 2,500 square feet of land, a land disturbance permit will be required.

PUBLIC FACILITIES

Fire Service:

The proposed tower and associated equipment will have a minimal impact on fire and Emergency Medical Service (EMS).

Transportation:

The proposed development (communications tower) on the property will have a minimal impact on the existing transportation network.

The Thoroughfare Plan identifies a proposed east/west major arterial with a recommended right-of-way width of ninety (90) feet extending from Harrowgate Road at the Wellspring Road intersection, west to Branders Bridge Road. A tentative subdivision plat (Wellsprings Subdivision) has been approved for the property west of Harrowgate Road. In conjunction with development of Wellsprings Subdivision, the proposed east/west arterial will be constructed through that property. The proposed alignment of the east/west arterial will align with part of Treely Road as it approaches Branders Bridge Road. This proposed communications tower site and buffer is located north (approximately 100 feet) of the proposed east/west arterial.

COUNTY COMMUNICATIONS

The Zoning Ordinance requires that any structure over eighty (80) feet in height be reviewed by the County's Public Safety Review Team for potential detrimental impacts the structure could have on the County's Radio Communications System microwave paths. This determination must be made prior to construction of the communications tower. Once the tower is in operation, if interference occurs, the owner/developer will be required to correct any problems.

COUNTY AIRPORT

A preliminary review of this tower proposal has indicated that, given the approximate location and elevation of the proposed installation, it appears the tower will not adversely affect the Chesterfield County Airport.

LAND USE

Comprehensive Plan and Tower Siting Policy:

The Public Facilities Plan, an element of the Comprehensive Plan, suggests that communications facilities should be located in areas so as to minimize impacts on existing and future areas of development and to reduce locations adjacent to planned or existing residential development. The proposed location is centered in an area of anticipated residential development as suggested by the Southern and Western Area Plan as appropriate for residential use of 2.51 to 4.0 dwelling units per acre and is directly adjacent to, and in

close proximity of, existing and planned residential development within Greenbriar, Stoney Glen South and Wellsprings Subdivisions. The Public Facilities Plan suggests that sites with existing mature vegetation or topographical features which provide screening are preferred due to their natural ability to mitigate visual and noise impacts and that such locations should be consistent with the adopted guidelines of the Tower Siting Policy.

The Tower Siting Policy suggests that communications towers should be generally located away from existing or planned areas of residential development and high visibility areas such as major roads and that the view of the towers from these areas should be minimized. The Policy provides that when towers are located in the vicinity of existing or planned areas of development or other high visibility areas, the tower should be architecturally incorporated in the design of an existing structure, such as a church or office building; possess design features that mask the utilitarian nature of the tower; or be located as remotely as possible from existing or planned areas of development or other high visibility areas on property that is densely wooded with mature trees.

Dwellings within 2,000 feet of the tower are shown on the attachment. It is important to note that residential structures on this map were placed according to aerial photographs taken in 1994 and therefore may not fully represent all the structures in the area. As such, the request property does not conform to the tower siting criteria. As previously noted, the County guidelines suggest that towers should be located as remotely as possible from existing or planned areas of development or other high visibility areas. Typically, such placement would be in the vicinity of stream beds or Resource Protection Areas (RPA) that generally define the edge of future residential developments. These wooded areas provide appropriate separation and screening from future residential neighborhoods. While mature vegetation exists on the request property, there is no guarantee that this vegetation will be retained and even if it is retained, the proposed tower site is within the center of existing and planned development rather than along the edge of development therefore little separation and screening from existing and future residential development would be afforded to mitigate the impact of the tower on area development.

A more remote location would be appropriate.

Area Development Trends:

The proposed tower location is centered in an area surrounded by existing and planned residential development on properties zoned R-9, R-12, and R-15. A portion of the property to the south and property to the west is zoned Agricultural (A), but is also planned for residential development.

Site Design and Development Standards:

While a more remote location would be preferable in this case, should this request be approved, consideration should be given to imposing conditions which would require certain design and development standards for its location.

First, the request property is located within an Emerging Growth Development Area. The Zoning Ordinance contains development standards within these areas to promote well-designed, quality projects, however, because the property is zoned Agricultural (A), these standards would not apply. Consideration should be given to requiring development of the site to comply with the Zoning Ordinance standards for commercial development within an Emerging Growth District area which address access, landscaping, architectural treatment of equipment buildings, setbacks, parking, signs, and screening.

In addition, where tower locations have been allowed in residential areas, provision of adequate buffers consisting of mature vegetation has been required. Therefore, should this request be approved, consideration should be given to requiring retention of mature vegetation on the request property to provide separation and screening of the base of the tower from existing and anticipated area development.

Consistent with past actions on similar facilities to ensure that the tower does not become a maintenance problem or an eyesore, if approved, the tower should be removed at such time that it ceases to be used for communications purposes.

Access to the tower site would be provided via Treely Road. Consistent with past actions on similar facilities, if this request is approved, the base of the tower should be secured with a fence to discourage trespassing.

These typical standards will not assist in mitigating the visual impact of the proposed tower.

Lighting:

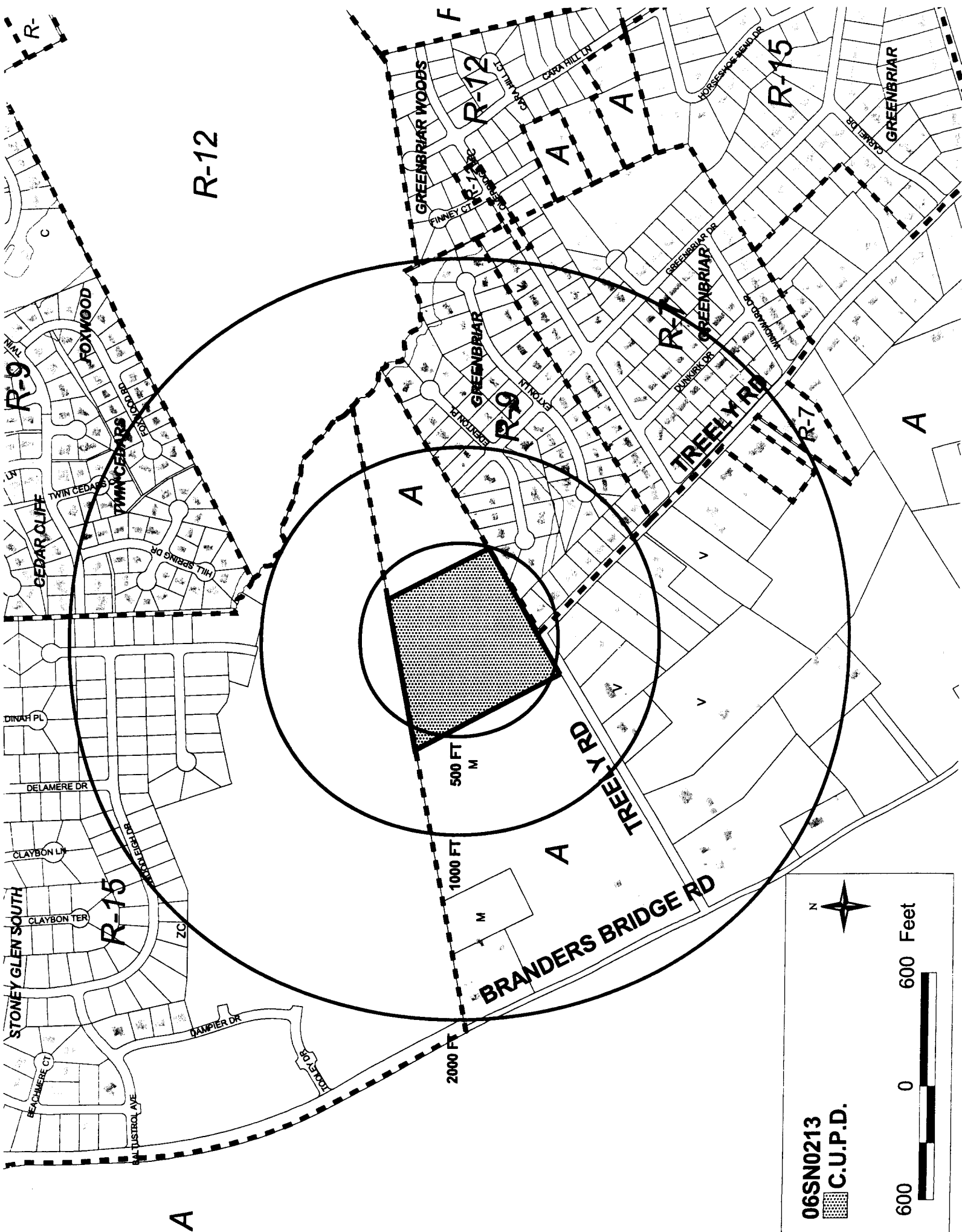
The Zoning Ordinance would permit the proposed tower to have a maximum of height of 199 feet. The Federal Aviation Administration (FAA) normally does not require towers to be lighted which are less than 200 feet in height. The Tower Siting Policy suggests that towers should not be lighted, especially in residential areas. Should this request be approved, consideration should be given to imposing minimum lighting standards in the event FAA requires the tower to be lit.

CONCLUSIONS

The proposal fails to conform to the Public Facilities Plan and the Tower Siting Policy. The request property is centered within an area designated by the Southern and Western Area Plan for future residential development and is in a highly visible area adjacent to an east/west major arterial. The County's siting criteria suggests that the tower should be located as remotely as possible from such high visibility areas and away from existing and/or planned residential development. The Policy suggests that if a tower is to be located in the vicinity of residential areas, as is proposed in this case, it should either be designed, spaced, located and/or masked to minimize the visual impact of the tower. Typically, such tower placement should be located in a wooded area in the vicinity of stream beds or Resource Protection Areas (RPA) because these areas define the edge of development and

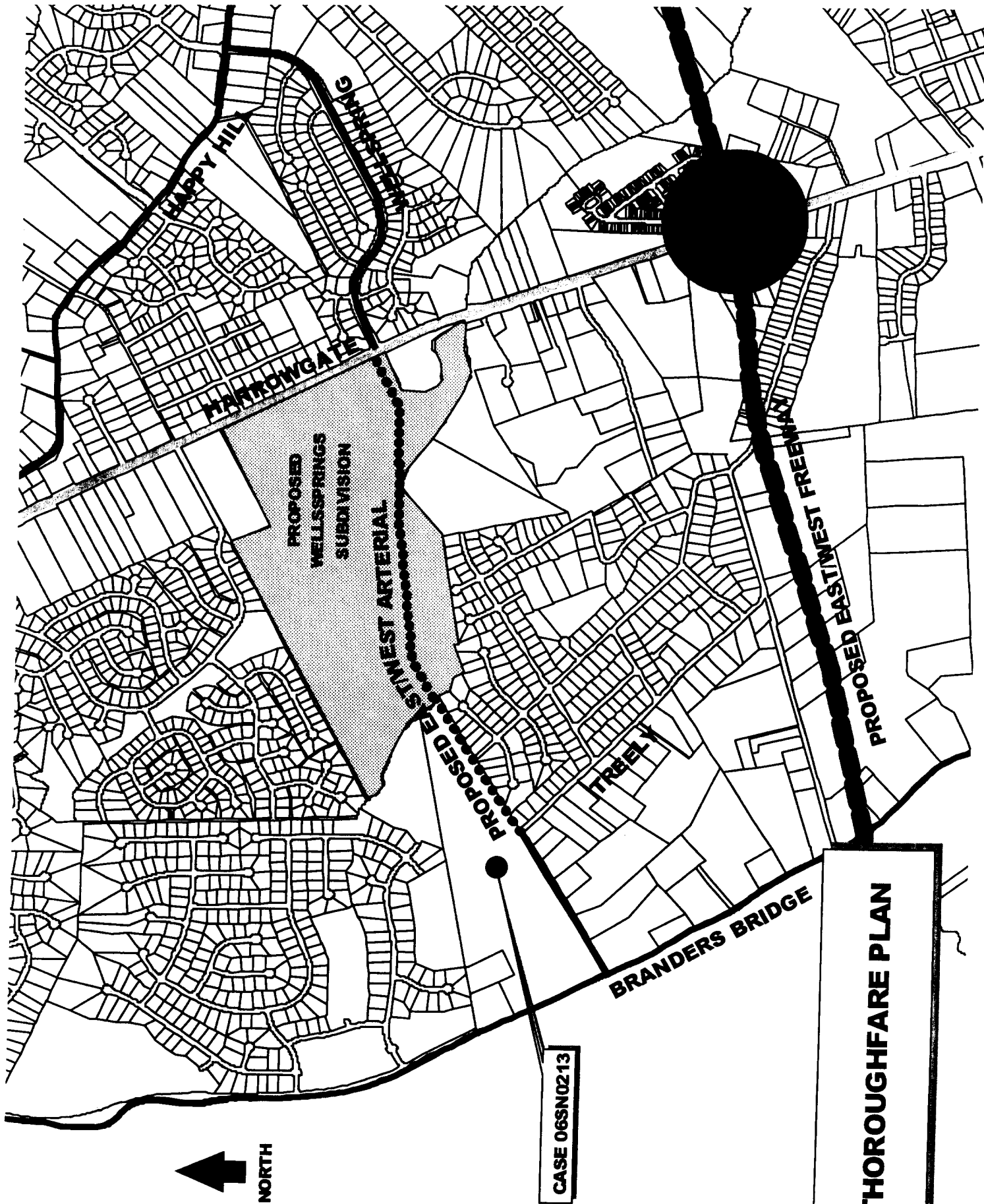
can offer separation and adequate buffers that will help mitigate the view of the tower from residential development and high visibility areas as the Policy suggests. A more remote location would be necessary in this case to comply with the Policy.

Given these considerations, denial of the request is recommended.



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THOROUGHFARE PLAN

CASE 06SN0213